

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC., et al.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:18CV530-MSD-LRL
	)	
NORFOLK SOUTHERN RAILWAY	)	
COMPANY, et al.,	)	
	)	
Defendants.	)	
	)	

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**REPLY MEMORANDUM IN SUPPORT OF MOTION TO DISMISS DEFENDANTS  
JERRY HALL, THOMAS HURLBUT AND PHILLIP MERILLI  
UNDER FED. R. CIV. P. 12(b)(1) BASED ON MOOTNESS**

Based on the filing of the “Joint Motion for Dismissal of Defendants Jerry Hall, Thomas Hurlbut, and Philip Merilli and Stipulation,” (the “Stipulation”) on February 24, 2020 (ECF No. 141), Defendants Hall, Hurlbut, and Merilli, by counsel, hereby request that the Court enter the proposed order that was attached to the Stipulation. (*See* ECF No. 141-1).

Dated: February 25, 2020

Respectfully submitted,

JERRY HALL, THOMAS HURLBUT,  
and PHILIP MERILLI

By: /s/ M. F. Connell Mullins, Jr.  
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*Counsel for Defendants Jerry Hall, Thomas  
Hurlbut, and Philip Merilli*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of February, 2020, I will electronically file the foregoing with the Clerk of Court using CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

By: /s/ M. F. Connell Mullins, Jr.  
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